

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:12-CV-122-F

CAROL DALENKO,
Plaintiff,

v.

DONALD W. STEPHENS, *et al.*
Defendants.

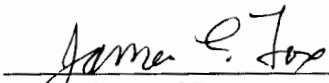
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ORDER

This matter is before the court on the Motion for Involuntary Dismissal for Failure to Join Parties and Failure to Prosecute [DE-139] filed by the “unnamed prison officers and guards” Defendants. These Defendants argue that because Plaintiff has yet to amend her complaint to identify the unnamed officers or guards, or failed to join additional parties, this action must be dismissed for failure to prosecute.

The motion is DENIED. The Honorable Robert B. Jones, Jr., has issued an order [DE-154] which allows Plaintiff until June 11, 2015, to file a motion to amend the complaint in conformity with Rule 15 of the Federal Rules of Civil Procedure so as to identify the unnamed Defendants. There is no basis, therefore, at this time to dismiss Plaintiff’s action for failure to prosecute.

SO ORDERED. This the 14th day of May, 2015.



JAMES C. FOX
Senior United States District Judge